

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

CRIMINAL 05-0157CCC

1) BRAULIO AGOSTO-VEGA

(Counts One, Two, Three and Four)

2) JUAN AGOSTO-VEGA

(Counts One, Two, Three and Four)

3) BRAULIO AGOSTO MOTORS, INC.

(Counts Two and Three)

Defendants

ORDER

Having considered the Report and Recommendation filed on November 21, 2012 (**docket entry 529**) on a Rule 11 proceeding of defendant Braulio Agosto-Vega (1) held before U.S. Magistrate Judge Marcos E. López on November 13, 2012, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment. The Court, however, defers its decision on whether to accept the Fed. R. Crim. P. 12(c)(1)(C) Plea Agreement (docket entry 526) until it has reviewed defendant's Pre-Sentence Report, pursuant to Fed. R. Crim. P. 12(c)(3)(A).

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since November 13, 2012. The **sentencing hearing is set for February 28, 2013 at 4:15 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on December 10, 2012.

S/CARMEN CONSUELO CEREZO
United States District Judge